

**Rules of Criminal Procedure**

**Rule 24.3. Pleading by the Defendant.**

**CONDITIONAL PLEA FORM**

**[For use with Rule 24.3(b), Arkansas Rules of Criminal Procedure]**

IN THE CIRCUIT COURT OF \_\_\_\_\_, ARKANSAS

\_\_\_\_\_ Division

No. \_\_\_\_\_

STATE OF ARKANSAS

v.

\_\_\_\_\_, Defendant

**CONDITIONAL PLEA**

I, \_\_\_\_\_ (*name of defendant*), with the approval of the court, and the consent of the Prosecuting Attorney am entering a plea of [guilty] [no contest] to Count 1. \_\_\_\_\_

Count 2. \_\_\_\_\_

Count 3. \_\_\_\_\_

I understand my plea is conditioned upon the filing of an appeal on the issue of \_\_\_\_\_ (*describe pretrial motion [to suppress seized evidence] [to suppress custodial statement] upon which appeal will be based*).

I understand that, if the judge approves my plea of [guilty] [no contest], a judgment

and sentence will be entered, and that I may appeal on the issue specified above in the manner provided by the rules of court.

I understand that if I win my appeal on the issue specified above, that I may withdraw my plea of [guilty] [no contest].

I have read and understand the above. I have discussed the case and my constitutional rights with my lawyer. I understand that by pleading [guilty] [no contest], if my plea is not later withdrawn, I will be giving up my right to a trial by jury, to confront, cross-examine, and compel the attendance of witnesses, and my privilege against self-incrimination. I agree to enter my plea as indicated above on the terms and conditions set forth herein.

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Date

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Defendant

### **DEFENSE COUNSEL REVIEW**

I have reviewed this conditional plea with my client, and I have discussed with my client its consequences.

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Defense counsel

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Date

### PROSECUTOR APPROVAL

I have reviewed this conditional plea and consent to it.

\_\_\_\_\_

Prosecutor Attorney

\_\_\_\_\_

Date

### COURT APPROVAL

This Conditional Plea Agreement is approved, and I direct that it be entered of record in this case.

\_\_\_\_\_

Circuit Judge

\_\_\_\_\_

Date

**This Conditional Plea Form shall accompany the Judgment and Commitment Order Form or Judgment and Disposition Order Form and be made a part of the record in the case.**

I certify this is a true and correct record of this Court.

Date: \_\_\_\_\_ Circuit Clerk/Deputy: \_\_\_\_\_